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March 15, 2024

VIA ECF

The Honorable John G. Koeltl
United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**APPLICATION GRANTED
SO ORDERED**


John G. Koeltl, U.S.D.J.

3/18/24

Re: Roche Cyrulnik Freedman LLP v. Cyrulnik, Case No. 1:21-cv-01746 (JGK)

Dear Judge Koeltl:

Pursuant to Rule VI.A.2 of Your Honor's Individual Practices, I write on behalf of Defendant/Counterclaim-Plaintiff Jason Cyrulnik to request permission to file under temporary seal materials with respect to which Judge Netburn previously granted Plaintiff/Counterclaim-Defendants' motion to seal.

Specifically, Cyrulnik requests to file under temporary seal (i) Cyrulnik's Memorandum of Law in Opposition to Plaintiff and Counterclaim-Defendants' Motion to Exclude Holcomb's Improper Testimony and Evidence Relating to the Fattarusio Litigation (ECF 560) (the "Holcomb-Fattarusio Opposition"), and (ii) Exhibit 10 attached to the Omnibus Declaration of Marc E. Kasowitz in Support of Cyrulnik's Opposition to Counterclaim-Defendants' Motion in Limine ("Kasowitz Opposition Declaration"), both of which are being filed concurrently herewith.

With respect to the Holcomb-Fattarusio Opposition, Cyrulnik has quoted portions of paragraph 108 of the Declaration of Nathan A. Holcomb. Judge Netburn previously granted Counterclaim-Defendants' motion to seal the quoted portions of that paragraph. *See* ECF 504 at 3 ("[T]he communication with outside counsel at paragraph 108 of the Declaration may be redacted.").

With respect to Exhibit 10 to the Kasowitz Opposition Declaration, Cyrulnik proposes sealing a tax identification number, bank account numbers, and routing numbers. Judge Netburn previously granted Counterclaim-Defendants' motion to seal these materials. *See id.* at 1 ("The RF Parties' requests to seal personal information, including telephone numbers, home addresses,

personal email addresses, Social Security numbers, personal medical information, airline account numbers, credit card numbers, and bank account and routing numbers ... are GRANTED.”).

Accordingly, because Judge Netburn has already ordered that these specific materials be sealed, Cyrulnik requests permission to file these materials under seal pursuant to that Order.

We thank the Court for its consideration of this request.

Respectfully,

/s/ Marc E. Kasowitz

Marc E. Kasowitz

cc: Counsel of Record (via ECF)